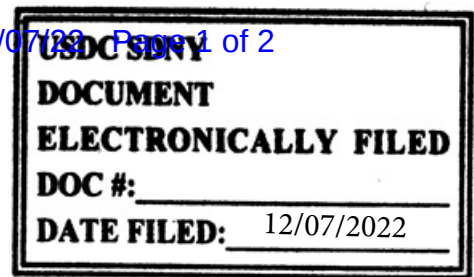


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December 7, 2022

BY ECF

Hon. Stewart D. Aaron, U.S.M.J.
United States District Court for the
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street – Room 1970
New York, New York 10007-1312

Re: *Askmo v. D.B.F. Collection Corp.*
Case No.: 1:22-CV-00565-AT-SDA

Dear Judge Aaron:

This firm represents defendant in the above-referenced matter.

Per Your Honor's November 30, 2022 Order, the parties were to submit by today a joint letter as to any unresolved requests by me for documents, and any unresolved directions by plaintiff's counsel not to answer, made at plaintiff's deposition on November 14, 2022. For the following reasons, and at the instance of plaintiff's counsel Abel L. Pierre, Esq., I respectfully request that today's deadline be extended on an interim basis until December 16, 2022.

When I communicated to Mr. Pierre seeking his position on the requests and the directions in connection with today's anticipated submission (including whether same would be necessary), he stated that he had not received the transcript of plaintiff's deposition.

However, when I then checked with the court reporting service that covered plaintiff's deposition, I learned that the service had sent Mr. Pierre an invoice for a copy of the transcript back on November 23 at his request but had never received payment from him. Thus, the service has not sent Mr. Pierre a copy.

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Hon. Stewart D. Aaron
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I have advised Mr. Pierre that he must deal with the court reporting service. Mr. Pierre has taken the position that I must provide him a copy of the entire transcript (which of course would deprive the service of the compensation to which it is entitled). I believe Mr. Pierre is flatly mistaken.

I respectfully request the interim extension in order to give plaintiff's counsel an opportunity to complete his purchase of the transcript (if he wishes to do so), or else for the putative "issue" of Mr. Pierre's receiving a full copy of the transcript – without paying the court reporting service for it – to be otherwise resolved.

Defendant thanks Your Honor for your consideration of this request.

Respectfully yours,


Charles D. Hellman

cc: Abel L. Pierre, Esq. (by ECF)

Defendant's request is GRANTED IN PART. No later than Friday, 12/9/2022, Defendant's counsel shall provide to Plaintiff's counsel those pages of Plaintiff's deposition transcript that contain (1) the questions that Defendant seeks to compel Plaintiff to answer, and (2) Defendant's requests for documents. If the parties are unable to consensually resolve their discovery disputes (see ECF No. 34) despite good faith efforts to do so, the parties shall file a joint letter by Tuesday, 12/13/2022 (not exceeding 5 pages) containing the parties' respective positions. The deadline for the limited-purpose discovery set forth in the Court's 11/30/2022 Order remains 12/30/2022. (See 11/30/2022 Order, ECF No. 34.) SO ORDERED.

Dated: 12/7/2022

